

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICAH ANDERSON,

Plaintiff,

vs.

LANCE FRITZ, and UNION PACIFIC  
CORPORATION,

Defendants.

**8:22CV369**

**MEMORANDUM AND ORDER**

This matter is before the Court on a Motion to Extend, [Filing No. 29](#), filed by Plaintiff Micah Anderson (“Plaintiff”) seeking an additional 45 days beyond the December 2, 2024, deadline to respond to this Court’s May 1, 2024, order to show cause (the “Order to Show Cause”), [Filing No. 25](#), which Plaintiff previously failed to respond to, see [Filing No. 27](#). As cause for his extension Plaintiff argues that he is unable to get “supplies” he needs to file his response until the second week of December, 2024. [Filing No. 29 at 1](#).

The Court notes that as this Court explained in its October 30, 2024, Memorandum and Order, Plaintiff’s response must only include the dates Plaintiff was held in segregation and when he was transferred to a new facility (or facilities) between August 9, 2023, and October 3, 2023, so this Court could determine if reopening of his case is warranted. [Filing No. 25 at 4](#). Plaintiff was specifically warned that he **should not prepare an amended complaint or address any other issues relating to the claims and relief sought in his Complaint** in his response. *Id.* (emphasis in original).

It is unclear to this Court what “supplies” Plaintiff requires to provide an explanation to this Court as to where he was housed between August 9, 2023, and October 3, 2023, including the dates of his alleged segregation and housing transfer. As previously noted,

this information, and only this information, is required so this Court may determine if it is appropriate to set aside the order and judgment dismissing Plaintiff's case on October 3, 2023, due to Plaintiff's failure to prosecute this case. [Filing No. 20](#); [Filing No. 21](#).

IT IS THEREFORE ORDERED that:

1. Plaintiff's request for an extension is granted to the extent Plaintiff shall have 30 additional days beyond the current December 2, 2024 deadline – until **January 2, 2024** - to submit a written response to the Court's Order to Show Cause at [Filing No. 25](#), **specifying only the dates Plaintiff was held in segregation and when he was transferred to a new facility (or facilities) between August 9, 2023, and October 3, 2023.**

2. Plaintiff is warned that any other information relating to the substance of his claims including any attempt to amend his Complaint included in his response to the Order to Show Cause shall not be addressed. If Plaintiff's case is reopened the Court will issue new deadlines for compliance with this Court's August 9, 2023, Memorandum and Order.

3. Any failure to respond to this Memorandum and Order by the January 2, 2025, deadline shall result in the denial of his pending motion at [Filing No. 27](#), and this case remaining closed.

4. **No further extensions shall be granted absent a showing of extraordinary circumstances.**

5. The Clerk of the Court is directed to terminate the current pro se case management deadline of **December 2, 2024**: check for response to show cause order and set a pro se case management deadline in this case using the following text: **January 2, 2025**: check for response to show cause order.

Dated this 20th day of November, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized, with a large, loopy initial "J" and a distinct "F".

Joseph F. Bataillon  
Senior United States District Court